Prohibited Food Additives

Definitions

1. "FD&C" means the Federal Food, Drug, and Cosmetics Act as implemented in 21 CFR Part 74.

2. "Prohibited food additive" means any of the following: potassium bromate; propylparaben; FD&C Blue No. 1; FD&C Blue No. 2; FD&C Green No. 3; FD&C Red No. 3; FD&C Red No. 40; FD&C Yellow No. 5; or FD&C Yellow No. 6.

3. "School day" means the portion of a day that school is in session in which a school-age child is required to be in school for the purposes of receiving instruction.

Utah Code § 53G-9-205.2(1), (2)(a) (2025)

Utah Code § 53G-6-201(13) (2026)

Prohibited Food Additives During the School Day

Beginning with the 2026-2027 school year, and subject to the exceptions outlined below, neither any District school nor any person may during the school day sell, donate, offer, or serve on school grounds food that contains a prohibited food additive.

Food with prohibited food additives may be sold in a vending machine or as a concession item at a school-sponsored event or extracurricular activity. A student's parent may provide students with such food during the school day, and a teacher may provide students with such food if the teacher obtains permission from the students' parents at the start of each school semester.

Utah Code § 53G-9-205.2(2), (3)(a) (2025)

Applicability Note

USBA notes that the statutory prohibition does not apply to a school district with 5,500 or fewer students. Before final adoption, the District should verify whether this policy is required, optional, or retained as a local wellness standard.

Millard Local Provision

No separate Millard local subsection is inserted. MSD Policy 3140 was reviewed, but its food sale and Smart Snack provisions are preserved in FDEA, and no separate adopted Millard prohibited-food-additive policy was identified.